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Our File No. 20.70060
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**BASSEM KANDIL and FLORA KANDIL, his
wife,**

Plaintiffs,

vs.

**POLICE OFFICER GARY YURKOVIC,
POLICE OFFICER ANTHONY MARK ABODE,
POLICE OFFICER WILLIAM C. OELS, III,
SERGEANT WILLIAM OELS, CHIEF OF
POLICE, CITY OF NEW BRUNSWICK,
CITY OF NEW BRUNSWICK POLICE
DEPARTMENT, MIDDLESEX COUNTY
PROSECUTOR'S OFFICE, MIDDLESEX
COUNTY CORRECTIONAL FACILITY, JOHN
DOE SUPERVISING OFFICERS 1-10, JOHN
DOES 1-10, ABC CORPS. 1-10,**

Defendants.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**CIVIL ACTION
NO. 06-4701 (JAG-MCA)**

**STATEMENT OF NON-NECESSITY OF
BRIEF ON BEHALF OF DEFENDANT,
ANTHONY MARK ABODE**

I, Gary S. Spagnola, Esq., represent the Defendant, Anthony Mark Abode, in this lawsuit and hereby certify in accordance with F.R.C.P. 12 that no Brief is necessary in support of the Defendant, Anthony Mark Abode's, Notice of Motion for Summary Judgment dismissing the Plaintiff's Amended Complaint, with prejudice, as to Defendant, Anthony Mark Abode.

**GOLDEN, ROTHSCHILD, SPAGNOLA,
LUNDELL, LEVITT & BOYLAN, P.C.**
Attorney for Defendant,
Anthony Mark Abode

By: /s/ Gary S. Spagnola
GARY S. SPAGNOLA

Dated: August 31, 2009